

Rural Water Dist. No. 8  
Cherokee County, KS  
Tract No. 189E

ORIGINAL COMPARED WITH RECORD

**WATER LINE EASEMENT DEED**

THIS INDENTURE, Made on this 28<sup>th</sup> day of October, A. D., 1989, by and between Chester L. Morton and Nina N. Morton, husband and wife, of the County of Cherokee, State of Kansas, hereinafter referred to as "Grantors", and the Rural Water District No. 8, Cherokee County, Kansas, Post Office Box 222, Riverton, KS 66770, hereinafter referred to as "Grantees".

WITNESSETH, That the Grantors, in consideration of the benefits which will accrue to their other property by reason of the construction of the water line hereinafter mentioned, the sufficiency of which is hereby acknowledged, do by these presents, GRANT, BARGAIN, SELL, TRANSFER AND CONVEY unto the Grantees, or its assigns, a perpetual and assignable water line easement and right-of-way in, upon, over, under, and across the land described below, to locate, relocate, construct, reconstruct, operate, maintain, repair, patrol and remove a water line and all appurtenances thereto, together with the right to trim, cut, fell and remove therefrom all trees, brush, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the Grantors, their heirs, executors, administrators, successors and assigns all rights, title, interest and privileges as may be exercised and enjoyed without interference with or abridgment of the use of the easement and rights hereby granted; said land being described as follows:

A strip of land 30 feet in width lying within the east 100 feet of Lots 5 and 12 in B. W. Realty Company's First Addition to the City of Galena, a subdivision of Lot 1 of Section 25, Township 34 South, Range 25 East of the Sixth Principal Meridian, Cherokee County, Kansas, being 39.05 rods in length, containing 0.44 of an acre, more or less.

Together with the right of ingress and egress over Grantors' adjacent lands for the purposes for which the above-mentioned rights are granted. The easement hereby granted shall be thirty feet (30') in width, the center line thereof shall be the water line, as constructed.

The above easement is subject, however, to existing easements for public roads, streets, and highways, for public utilities, and for railroads and pipelines.

The consideration recited herein shall constitute full fair value and full compensation to the Grantors for the easement and rights granted herein, whether such easement and rights shall be exercised by the Grantees or by any of its assigns. The Grantors expressly release and relinquish any and all claims against any of the aforementioned for further or future payment of consideration

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for the aforesaid easement and rights granted herein.

TO HAVE AND TO HOLD the easement and rights, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining unto the Grantees and unto its assigns forever; the Grantors hereby covenanting that they are lawfully seized of an indefeasible Estate in Fee Simple in the premises in which the easement herein conveyed; that they have a good right to convey the same; that the premises are free and clear of any encumbrance done or suffered by them or those under whom they claim, and of all taxes, liens, leases, easements, claims, and assessments, and that they will pay all taxes and assessments on the above described property promptly when due, and will WARRANT AND DEFEND the title to the easement unto the Grantees and unto its assigns FOREVER against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year above written.

Chester L. Morton  
Chester L. Morton

Nina N. Morton  
Nina N. Morton



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Cherokee County, KS  
Tract No. 189E

STATE OF: Kansas )  
COUNTY OF: Cherokee ) SS.

On this 28<sup>th</sup> day of October, A.D., 1989, before me, a Notary Public, personally appeared Chester L. Morton, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above

Marvin G. Thompson  
NOTARY PUBLIC MARVIN G. THOMPSON  
MY COMMISSION EXPIRES 8/1/93

STATE OF: Kansas )  
COUNTY OF: Cherokee ) SS.

On this 28<sup>th</sup> day of October, A.D., 1989, before me, a Notary Public, personally appeared Nina N. Morton,, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above written.

Marvin G. Thompson  
NOTARY PUBLIC MARVIN G. THOMPSON  
MY COMMISSION EXPIRES 8/1/93

State of Kansas Cherokee County, ss.

This instrument was filed for record on

the 12 day of MARCH A.D. 1990

At 11:00 o'clock A. M. and duly recorded

in Book 54 Page 623 Fee \$ 10.00

Carolyn M. Kee  
Register of Deeds

RECORDED ✓  
INDEXED ✓  
FILED ✓  
CT ✓  
SERIAL ✓

